

11IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Eastern Ave Ext., 1687.53' *
SW of c/l Harewood Road * ZONING COMMISSIONER
12820 Eastern Avenue Extended *
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District *
Steven M. Wagner, et ux * Case No. 96-235-A
Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 12820 Eastern Avenue, Extended, in eastern Baltimore County. The Petition is filed by Steven Mark Wagner and Phyllis P. Wagner, property owners. Variance relief is requested from Section 413.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a non-illuminated double sided wooden sign of 20 sq. ft. per side (40 sq. ft. total), in lieu of the required 1 sq. ft. allowed. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 3, the plat to accompany the Petition for Variance.

Appearing at the requisite public hearing held for this case were the Petitioners/property owners. Also appearing in support of the Petition was James A. Gilliam, adjoining neighbor. The Petitioners were represented by Mary E. Gephardt, Esquire. Raymond P. Bell, a nearby property owner, appeared in opposition.

Testimony and evidence presented was that the subject property is approximately .76 acres in area zoned D.R.5.5. The site is a rectangularly shaped property and is 100 ft. wide and approximately 330 ft. deep. The site is located on Eastern Avenue, Extended, not far from Oliver Beach Road to the north and Ebenezer Road to the south. The property is improved with a two story structure which was formerly used exclusively as a dwelling. The Petitioner has added an addition to the dwelling as shown on the site plan.

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

7/29/96
M. Howard

Presently, the Petitioners reside on the property and also utilize same to operate an Assisted Living Facility for the elderly. The Petitioners and their family reside on the first floor and the elderly residents reside on the second floor. Originally, the facility provided living space for 8 elderly residents. In this regard, the Petitioner submitted a copy of the use permit issued by the Director of the Office of Zoning Administration and Development Management (now known as Permits and Development Management) on November 4, 1994. (Petitioners' Exhibit No. 1). That permit approved a Class A Elderly Assisted Living Facility for up to 8 residents. Recently, the living area has been enlarged so that now 11 elderly residents are housed in the structure. The Petitioner offered a copy of a certificate to operate a Senior Assisted Living Facility for 11 people issued by the Maryland Office on Aging (Petitioners' Exhibit No. 2) and indicated that approval of this expansion was expected from the Office of Permits and Development Management.

In any event, it is not the existing use but a sign attendant thereto which is the subject of this hearing. In this regard, Mr. Wagner testified that the property is located within a residential community. He indicated that the street does not bear heavy traffic and that there is little lighting in the area during evening hours. He testified that on a number of occasions, emergency vehicles, visitors and delivery persons were unable to locate the Assisted Living Facility. This was because the structure exhibits the appearance of a dwelling and also due to the nature of the neighborhood.

In order to mark his business, he has constructed a sign on the front of the property. The sign is depicted in a number of photographs which were submitted not only by Mr. Wagner but also by Mr. Bell. The photos show an attractive double faced wooden sign which advertises the site as

ORDER RECEIVED FOR FILING

Date

By

the Cozy Country Corner Retirement Home and lists the phone number thereof. The sign is set back from the road and is separated from the street by a grassy area and a ditch which provides an area for storm water runoff. Mr. Wagner indicated that the size of the sign requested is appropriate and the minimum necessary to properly advertise the site.

Testimony was received from James Gilliam, a neighbor who appeared in support of the variance. He corroborated the existing conditions in the neighborhood and does not believe that the sign adversely affects the surrounding locale.

These sentiments were disputed by Mr. Bell. He does not oppose the use of the subject property for the assisted living facility, however, he believes that the sign is out of character with the neighborhood. He submitted a letter containing his written testimony and objections to the sign which has been made part of the case file.

Upon due consideration of the testimony and evidence offered, I am persuaded to grant the Petition for Variance. The concerns which Mr. Wagner has expressed over safety and access to the property are significant. The residents housed at the facility are elderly (between the ages of 81 and 97 years of age) and prompt medical care may, at times, be needed. Proper advertising of the site will promote easy access by emergency vehicles, deliveries and visitors and will prevent congestion in the area. I am particularly concerned about lost drivers slowing, stopping and turning to locate the property. Moreover, the sign appears professionally done and is not out of character with the area. Lastly, I concur with Mr. Gilliam's testimony, that the sign is not detrimental to the surrounding locale.

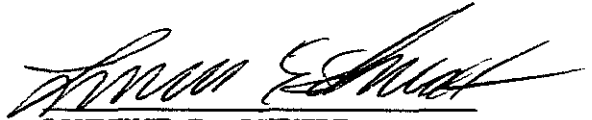
RECEIVED FOR FILING
Date 2/9/96
By M. Noah

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of February, 1996 that a variance from Section 413.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a non-illuminated double sided wooden sign of 20 sq. ft. per side (40 sq. ft. total), in lieu of the required 1 sq. ft. allowed, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners re hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. There shall be no means of artificially illuminating the sign, be it by a spotlight, internal light, etc.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 8, 1996

Mary E. Gephardt, Esquire
Lauenstein and Lauenstein
809 Eastern Blvd.
Baltimore, Maryland 21221

RE: Case No. 96-235-A
Petition for Zoning Variance
Property: 12820 Eastern Avenue Extended
Steven Mark Wagner, et ux, Petitioners

Dear Mrs. Gephardt:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
att.

c: Mr. and Mrs. Steven M. Wagner, 12820 Eastern Ave., Ext. 21220
Mr. Raymond P. Bell, 12821 Eastern Avenue, Ext., 21220

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

12820 EASTERN AVENUE EXTENDED
BALTIMORE, MARYLAND 21220

96-235-A

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

413.1A To allow a non-illuminated double sided wood sign 20 sq. ft. x 2 sides equals 40 sq. ft. area. In lieu of the required 1 sq. ft. in area.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Petitioner was awarded a permit for an assisted living facility. Property is now operated as an assisted living facility. On several occasions ambulance service has been called and has missed the property when responding for lack of a sign. The structure on which a sign is permitted to be posted sets back 42 feet from the road and is blocked by trees. To deny posting of a sign in the front yard creates a hardship for the occupants and is against public health, safety and welfare of the community.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s).

(Type or Print Name)

Steven Mark Wagner

(Type or Print Name)

Signature

Signature

Address

Phyllis P Wagner

(Type or Print Name)

City

State

Zipcode

Signature

12820 Eastern Avenue Ext.
Baltimore, Maryland 21220

Attorney for Petitioner:

Mary E Gephardt

(Type or Print Name)

Address

Phone No

335-1828

Signature

City

State

Zipcode

Name, Address and phone number or representative to be contacted.

Lauenstein & Lauenstein
809 EASTERN BLVD. BALTO., MD 21221
Address 410-687-2299 Phone No

City

State

Zipcode

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: 207K DATE 12/4/95



Printed with Soybean Ink
on Recycled Paper

Zoning Administration

FRANK S. LEE 96-235-A

Registered Land Surveyor

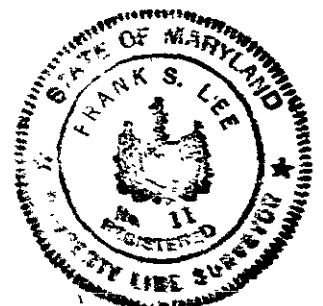
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

October 23, 1995

No. 12820 Eastern Avenue Extended
15th District Baltimore County, Maryland

Beginning for the same on the northwest side of Eastern Avenue Extended at the distance of 1687.53 feet measured southwesterly along the northwest side thereof from the southwest side of Harewood Road and being known as Lot 32, Section "B", Twin River Beach, said plat being recorded among the land records of Baltimore County in Blat Book 8 folio 20.

Containing 0.76 acres of land more or less



15th District

Posting

96-235

Variance

Steven M. & Phyllis Wagner

Posted 12/24/95

12820 Eastern Ave, Ext, NW/S

Facing roadway on property being recorded

Sgr 1

MICROFILMED

Phyllis Wagner

Posted 12/29/95

CASE NUMBER: 96-235-A (Item 232)

12820 Eastern Avenue Ext.

NW/S Eastern Avenue Extended, 1,687.53' SW of c/l Harewood Road

15th Election District - 5th Councilmanic

Legal Owner: Steven Mark Wagner and Phyllis P. Wagner Phyllis Wagner

Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x 2 side equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in area.

HEARING: TUESDAY, JANUARY 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

12-25
6709

30-N/11

OFFICE OF RECORDS

Public Hearing Concerning the
Rezoning of Portions of
Baltimore County

Portions of Baltimore County will hold a public hearing on the property identified herein in Room 406 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 148, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-235-A
(Item 22)
1220 Eastern Avenue Ext.
NWS Eastern Avenue Extended, 1.68753' SW of G1
Forewood Road
5th Election District
Site Circumlaric
Legal Owner(s):
Steven Mark Wagner and
Ethel P. Wagner

Variances: to allow a non-
instructed double sided wood
gum 20 sq. ft. x 2 side equals
40 sq. ft. area in lieu of the
permitted 1 sq. ft. in area.
Hearing: Tuesday, January 9,
1996 at 9:00 a.m. in Rm. 119,
Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible, for
special accommodations
Please Call 867-3353.
(2) For information concerning
the file and/or Hearing,
Please Call 867-3391.

12/14/01 Doc: 21 c23452

Publisher

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 232 Petitioner: Steven Mark Wagner

Location: 12820 Eastern Avenue Extended

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Steven Mark Wagner

ADDRESS: 12820 Eastern Avenue Extended

Ba Hb. Md. 21220

PHONE NUMBER: 335-1828





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-235-A (Item 232)
12820 Eastern Avenue Ext.
NW/S Eastern Avenue Extended, 1,687.53' SW of c/l Harewood Road
15th Election District - 5th Councilmanic
Legal Owner: Steven Mark Wagner and Phyllis P. Wagner

Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x 2 side equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in area.

HEARING: TUESDAY, JANUARY 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Steven and Phyllis Wagner
Mary E. Gephardt, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF REASSIGNMENT

CASE NUMBER: 96-235-A (Item 232)
12820 Eastern Avenue Extended
NW/S Eastern Avenue Extended, 1687.53' SW of c/l Harewood Road
15th Election District - 5th Councilmanic
Legal Owner: Steven Mark Wagner and Phyllis P. Wagner

Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x
2 side equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in
area.

HEARING: TUESDAY, FEBRUARY 6, 1996 at 2:00 p.m. in Room 106, County
Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Mary E. Gephardt, Esq.
Steven and Phyllis Wagner
Raymond Dell

PLEASE NOTE, DUE TO THE AMOUNT OF SNOW NOW ON THE GROUND, THIS OFFICE
IS UNSURE AS TO THE FEASIBILITY OF REPOSTING THE PROPERTY. WE THEREFORE
ASK THAT THE PETITIONER USE A BLACK MARKER TO WRITE THE NEW HEARING
DATE ON THE SIGN. THANK YOU.



RECEIVED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 2, 1996

Mary E. Gephardt, Esquire
Lauenstein & Lauenstein
809 Eastern Blvd.
Baltimore, MD 21221

RE: Item No.: 232
Case No.: 96-235-A
Petitioner: S. M. Wagner, et ux

Dear Ms. Gephardt:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 4, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

11/9/96
96-235-A

TO: Arnold Jablon, Director, PDM

DATE: December 28, 1995

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 12820 Eastern Avenue Extended

INFORMATION:

Item Number: 232

Petitioner: Wagner Property

Property Size: _____

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

If the sole purpose of this request is to call the attention of the property to emergency vehicles, staff recommends that the applicant post large street address numbers along the road frontage. This should ensure that any emergency vehicle or ambulance service will not miss the property when responding.

Prepared by: Jeffrey W. Long

Division Chief: Pat Keller

PK/JL

MSR 11-10

Baltimore County Government
Fire Department



12/28/95
J. W. C.

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 12/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 18, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

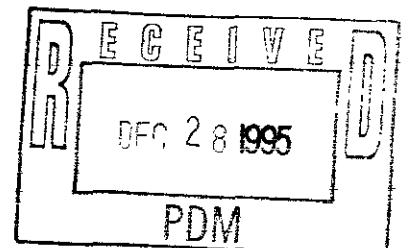
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 232, 233, 234, 235, 236,
237, 238, 239, 240, 241 AND 242.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Dec. 26, 1995
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 26, 1995
Items 232, 233, 234, 235, 236, 238, 239,
240, 241 and 242 *[Handwritten mark]*

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-18-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 232 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/BS 150 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Code

Enforcement

Baltimore County
Department of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: December 28, 1995

FROM: James H. Thompson - DJT
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 232
PETITIONER: Steven Mark Wagner and Phyllis P. Wagner
Tenants By Entireties
VIOLATION CASE NO.: C-96-2440

LOCATION OF VIOLATION: 12820 Eastern Avenue Extended
Baltimore, Maryland 21220
15th Election District

DEFENDANTS: Steven Mark Wagner and Phyllis P. Wagner
12820 Eastern Avenue
Baltimore, Maryland 21220

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

Mary E. Gephardt
Lauenstein & Lauenstein
Attorneys At Law

First National Bank Building
809 Eastern Boulevard
Essex, Maryland 21221

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/DJT/hek

96-235-A

Tues 1/4/96 at 9:11 AM

Microfilm

RE: PETITION FOR VARIANCE

12820 Eastern Avenue Extended, NW/S
Eastern Avenue Ext., 1,687.53' SW of c/l
Harewood Road, 15th Election District,
5th Councilmanic

Steven and Phyllis Wagner
Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 96-235-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of January, 1996, a copy of the foregoing Entry of Appearance was mailed to Mary E. Gephardt, Esquire, Lauenstein & Lauenstein, 809 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

403522

Mr. & Mrs. Raymond Bell
12821 Eastern Ave.
Balto, Md 21220

1/3/96

Dear Sir: To Whom it may concern.

Naturally some neighbors don't want to get involved and would rather remain neutral.

The issue at hand is a 20 sq ft sign in the front yard at the home of Mr. & Mrs. Wagner at 12820 Eastern Ave. In a residential neighborhood; as opposed to a 1 sq ft sign as allowed by law.

The home was recently turned into a retirement home/nursing home.

I'm aware that the state is behind such homes in different communities; as they have also done with the handicapped and retarded people. At that time of course they were met with opposition from several community associations not wanting these homes in their neighborhoods.

I'm not against this home in the community; as they the people also have rights. But the home should blend into the neighborhood, not stand out.

It was told to me by a reliable source, that the main concern Mr. Wagner wanted the big sign in the front yard was so that the ambulance and rescue personal would be able to find the home easier.

At that time, I went up to the Chase Fire Station #54 about 1 half mile from our homes. I spoke to Capt. Weir about the situation. It was at that time he assured me that he or any of his personnel had any problem finding the home; as they have already responded to several calls from the home before.

The 20 sq ft sign in the front yard of 12820 Eastern Ave; is totally out of character for our residential neighborhood.

Raymond P. Bell

Sincerely,
Raymond P. Bell

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

RAYMOND P. BELL

ADDRESS

12821 EASTERN AVE
BALTO MD. 21220



MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

MARK WAGNER

Phyllis Wagner

James A. Gilliam

12820 EASTERN AVE EXT 21220

12820 Eastern Ave. Ext. - 21220

12818 Eastern Ave Ext. 21220



#232

NUMBER

NE 7 L

96-236-A

PLAN HOLO CORPORATION
IRVINE CALIF. 92701



DEPARTMENT OF PERMITS AND LICENSING^{P. 81}
TOWSON, MARYLAND 21204

John H. King
BUILDINGS ENGINEER

PERMIT NO: B224517

PERMISSION IS HEREBY GRANTED TO:

NAME: WAGNER, STEVEN & PHYLLIS
ADDRESS: 12820 EASTERN AVE EXT., BALTIMORE, MD 21220

TO USE AND OCCUPY THE LAND AND/OR BUILDINGS DESCRIBED AND LOCATED
AS FOLLOWS ON PERMIT NO. B224517

LOCATION OF PROPERTY: 12820 EASTERN AVE EXT
DIST: 15 LOT NO: 32 BLOCK NO.
SUBDIVISION: TWIN RIVER BEACH

DATE: 06/07/95
FEE PAID: 35.00

ISSUED BY THE BUILDINGS ENGINEER

J. Reisinger

Ret. No 1

USE PERMIT



IT IS ORDERED by the Director of Zoning Administration & Development
Management of Baltimore County, this 4TH day of NOVEMBER, 1994,
that 12820 EASTERN AVE. EXT. (street address) should be and the same is
hereby granted permission to operate a CLASS "A" (ELDERLY) ASSISTED
LIVING FACILITY (A.L.F.) FOR A MAXIMUM OF EIGHT (A.L.F.)
RESIDENTS.

[Signature]
Permit Number

[Signature]

[Signature]

Director, Zoning Administration & Development Management



301 WEST PRESTON STREET • BALTIMORE, MARYLAND 21201-2374

Pet No 2

CERTIFICATE TO OPERATE SENIOR ASSISTED HOUSING

CERTIFICATE NO. GSAH-BCO-95231

DATE ISSUED 12/15/95

This certificate is issued pursuant to Article 70B, Section 4, Annotated Code of Maryland, 1980 Edition, and subsequent supplements and is subject to any and all statutory provisions, including all applicable rules and regulations promulgated thereunder.

FACILITY COSY COUNTRY CORNER RETIREMENT HOME

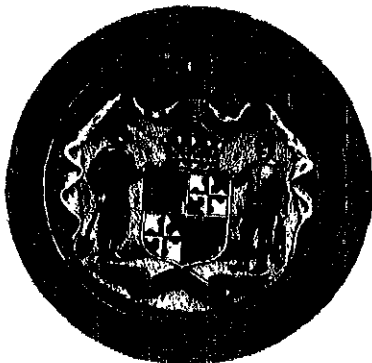
ADDRESS 12820 EASTERN AVENUE, EXTENDED, BALTIMORE, MD 21220

PROVIDER MR. STEVEN MARK WAGNER

ADDRESS SAME ADDRESS

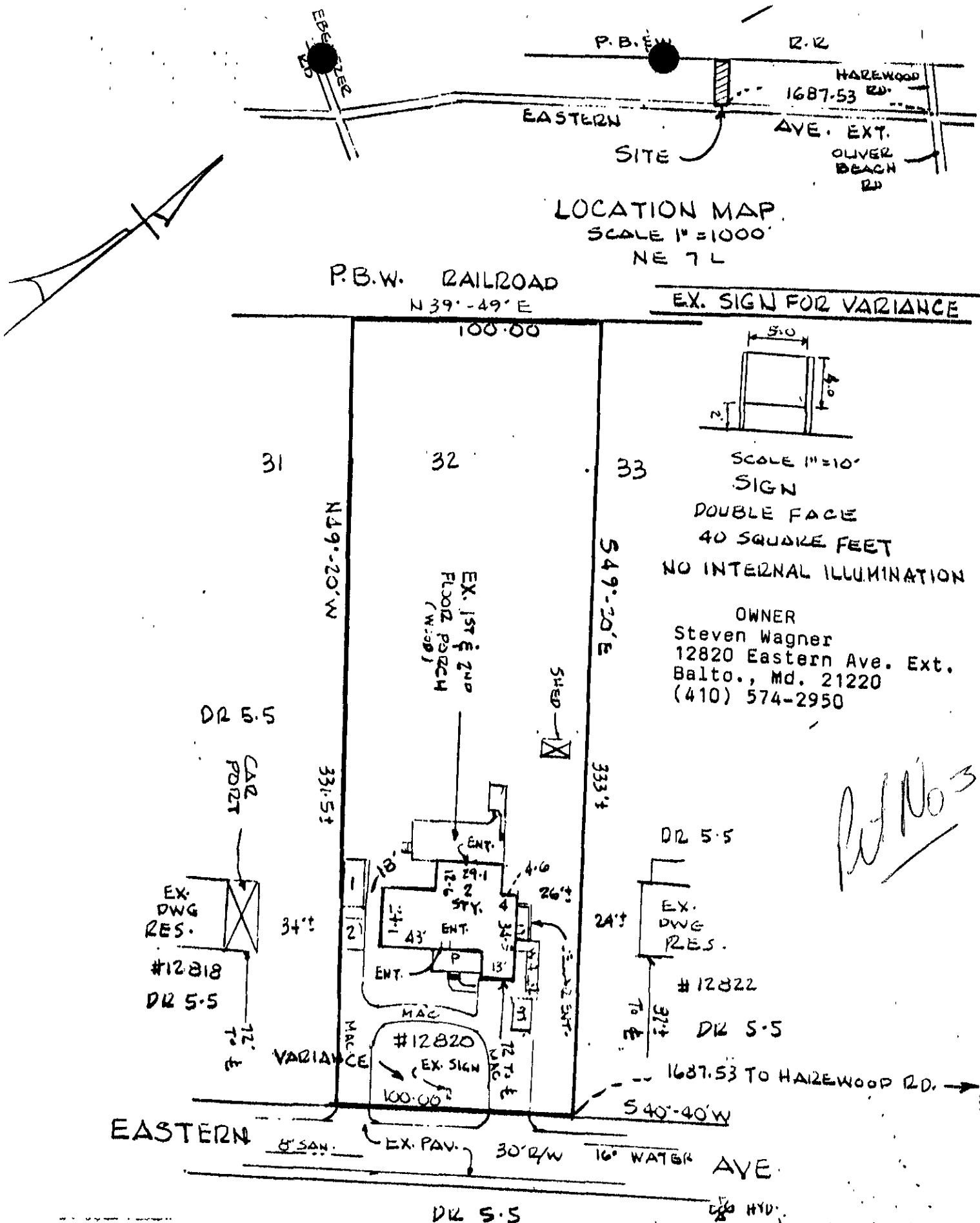
NUMBER OF SENIOR ASSISTED HOUSING UNITS (PERSONS) 11

CERTIFICATE EXPIRATION DATE JUNE 30, 1996



Lee J. Ward
Director, Maryland Office on Aging

This Certificate shall be displayed in the lobby, rental office, or other prominent public place on the premises during the entire period it is effective.



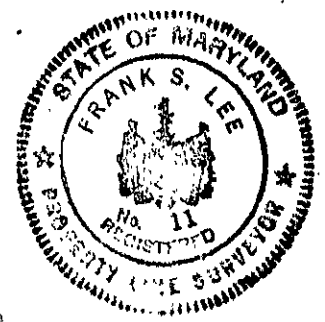
Existing Use: Class "A" (Elderly) Assisted Living Facility
 for a maximum of eight (8) B 224 517 ISSUED 11-4-94
 Existing Zoning : DR 5.5
 Area of Lot: 0.76 acres
 5th Councilmatic District
 No prior zoning hearings

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

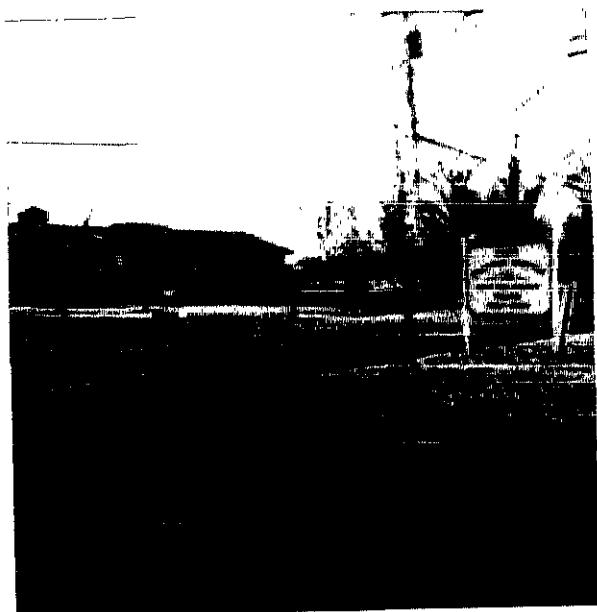
LOT 32 SECTION 'B'
 TWIN RIVER BEACH
 PLAT BOOK 8-20
 15TH DISTRICT BALTIMORE CO., MARYLAND
 SCALE 1"=50'

DATE 10-19-95

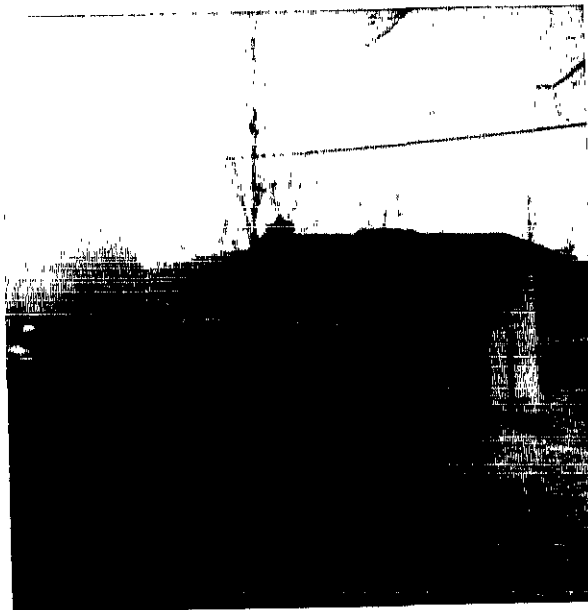
Handwritten: MICROFILMED



FRANK S. LEE
 1277 NEIGHBORS AVE.
 BALTIMORE, MD. 21237

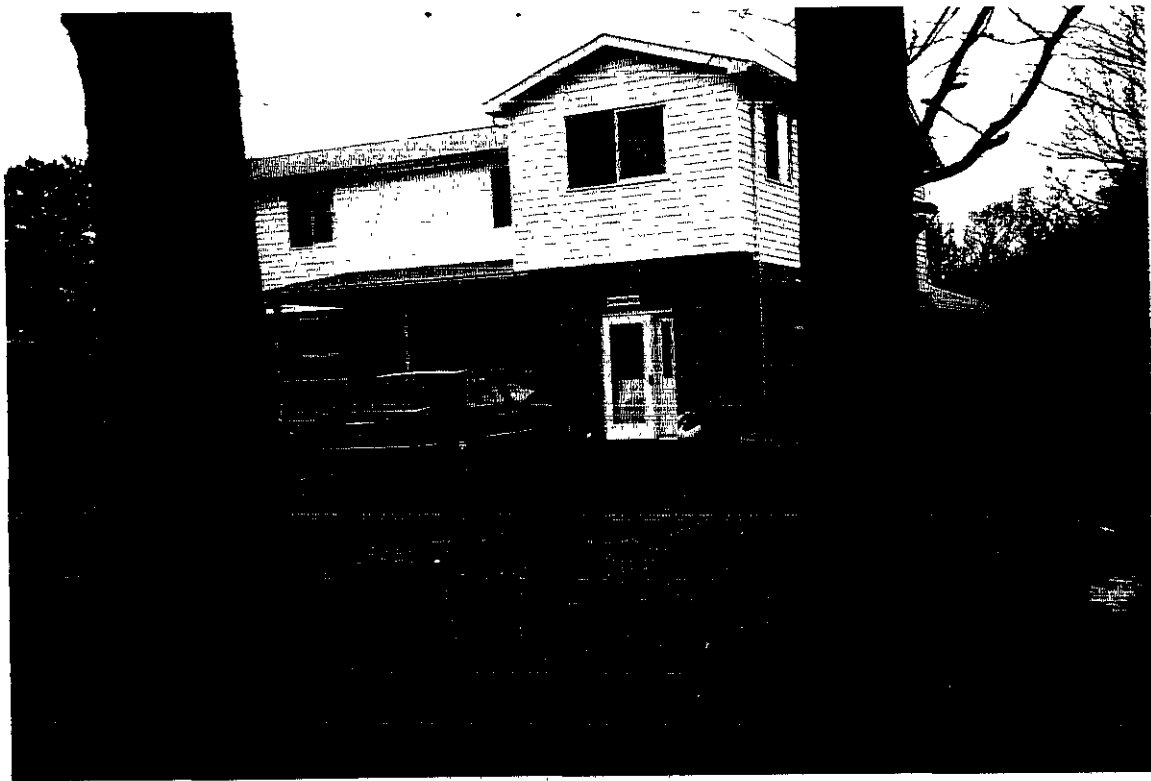
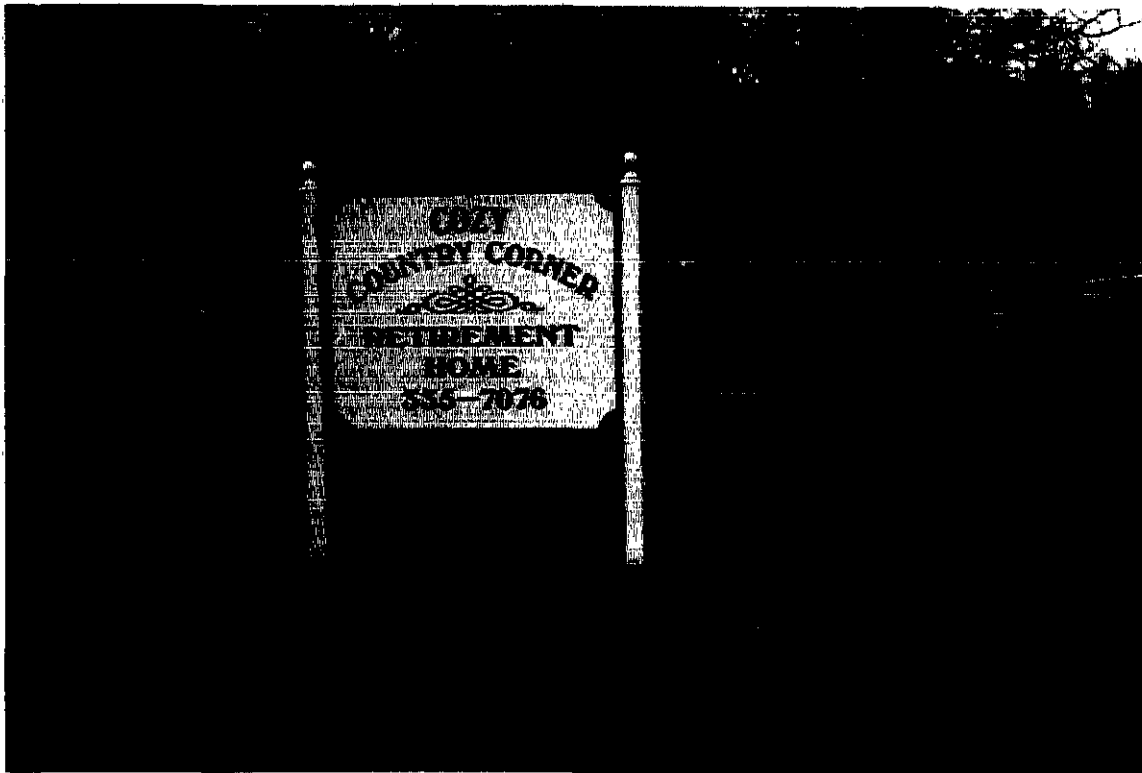


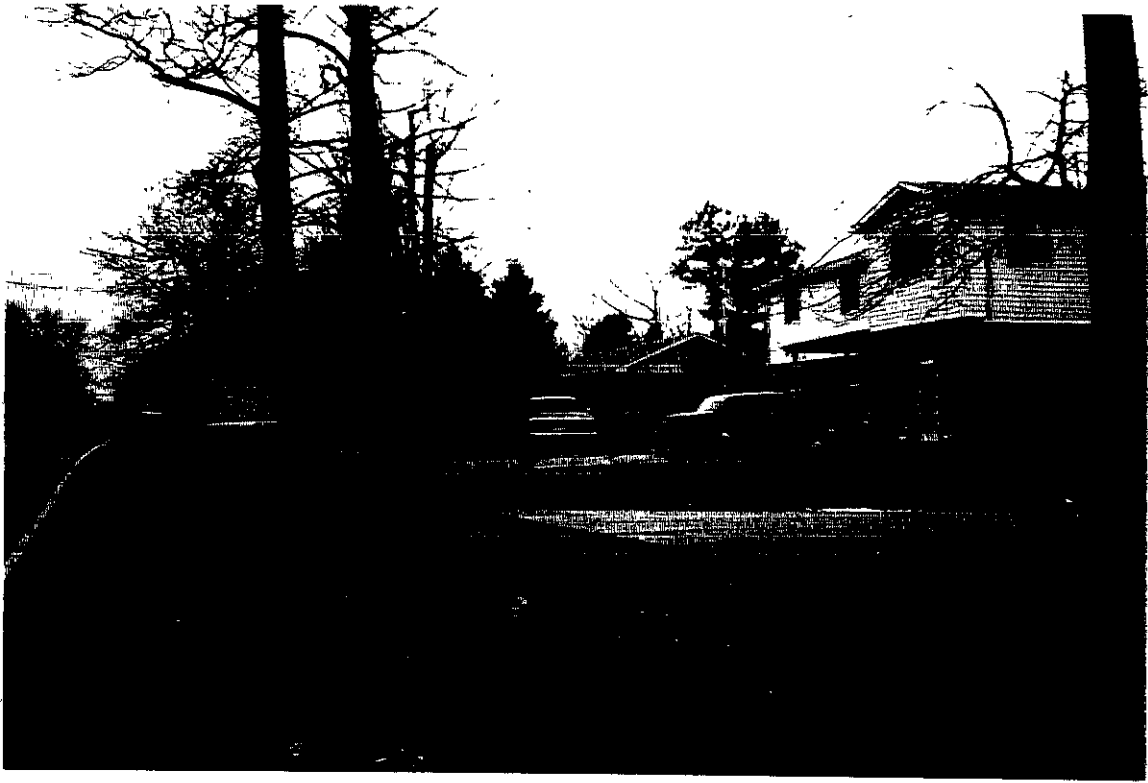
4A



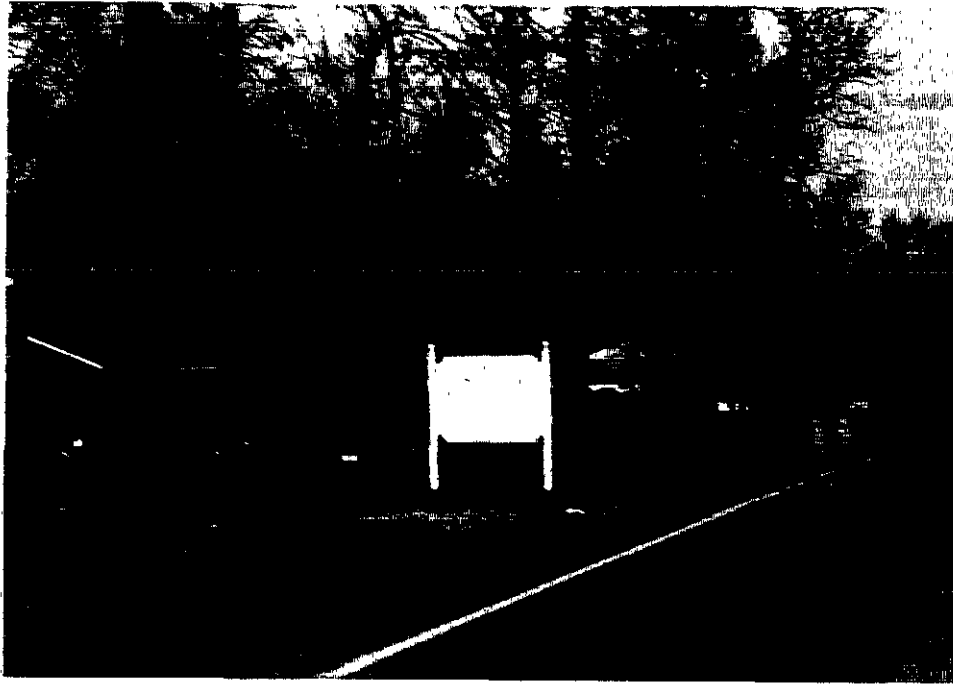
4B

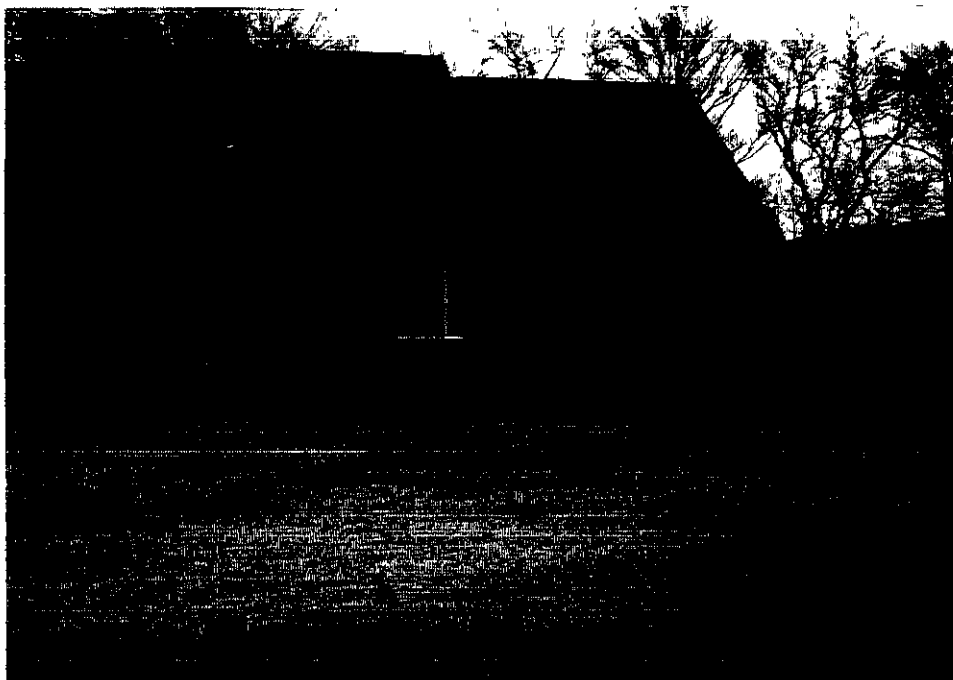
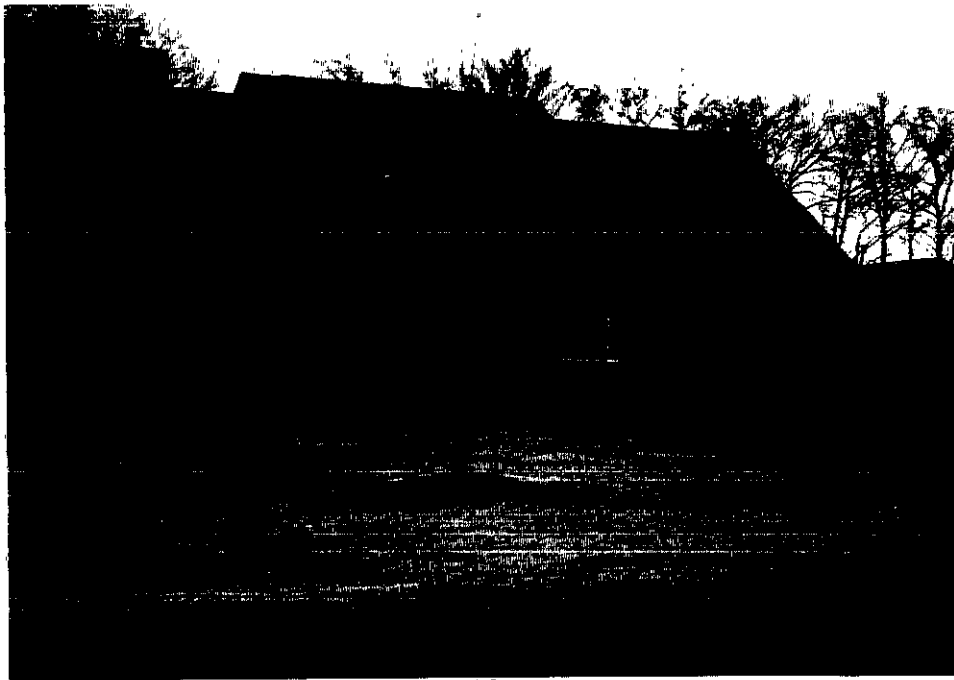






















IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/8 Eastern Ave Ext. 1687.53' * ZONING COMMISSIONER
SW of c/l Harewood Road *
12820 Eastern Avenue Extended * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District * Case No. 96-235-A
Steven M. Wagner, et ux *
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 12820 Eastern Avenue, Extended, in eastern Baltimore County. The Petition is filed by Steven Mark Wagner and Phyllis P. Wagner, property owners. Variance relief is requested from Section 413.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a non-illuminated double sided wooden sign of 20 sq. ft. per side (40 sq. ft. total), in lieu of the required 1 sq. ft. allowed. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 3, the plat to accompany the Petition for Variance.

Appearing at the requisite public hearing held for this case were the Petitioners/property owners. Also appearing in support of the Petition was James A. Gilliam, adjoining neighbor. The Petitioners were represented by Mary E. Gephardt, Esquire. Raymond P. Bell, a nearby property owner, appeared in opposition.

Testimony and evidence presented was that the subject property is approximately .76 acres in area zoned D.R.5.5. The site is a rectangularly shaped property and is 100 ft. wide and approximately 330 ft. deep. The site is located on Eastern Avenue, Extended, not far from Oliver Beach Road to the north and Ebenezer Road to the south. The property is improved with a two story structure which was formerly used exclusively as a dwelling. The Petitioner has added an addition to the dwelling as shown on the site plan.

Presently, the Petitioners reside on the property and also utilize same to operate an Assisted Living Facility for the elderly. The Petitioners and their family reside on the first floor and the elderly residents reside on the second floor. Originally, the facility provided living space for 8 elderly residents. In this regard, the Petitioner submitted a copy of the use permit issued by the Director of the Office of Zoning Administration and Development Management (now known as Permits and Development Management) on November 4, 1994. (Petitioners' Exhibit No. 1). That permit approved a Class A Elderly Assisted Living Facility for up to 8 residents. Recently, the living area has been enlarged so that now 11 elderly residents are housed in the structure. The Petitioner offered a copy of a certificate to operate a Senior Assisted Living Facility for 11 people issued by the Maryland Office on Aging (Petitioners' Exhibit No. 2) and indicated that approval of this expansion was expected from the Office of Permits and Development Management.

In any event, it is not the existing use but a sign attendant thereto which is the subject of this hearing. In this regard, Mr. Wagner testified that the property is located within a residential community. He indicated that the street does not bear heavy traffic and that there is little lighting in the area during evening hours. He testified that on a number of occasions, emergency vehicles, visitors and delivery persons were unable to locate the Assisted Living Facility. This was because the structure exhibits the appearance of a dwelling and also due to the nature of the neighborhood.

In order to mark his business, he has constructed a sign on the front of the property. The sign is depicted in a number of photographs which were submitted not only by Mr. Wagner but also by Mr. Bell. The photos show an attractive double faced wooden sign which advertises the site as

the Cozy Country Corner Retirement Home and lists the phone number thereof. The sign is set back from the road and is separated from the street by a grassy area and a ditch which provides an area for storm water runoff. Mr. Wagner indicated that the size of the sign requested is appropriate and the minimum necessary to properly advertise the site.

Testimony was received from James Gilliam, a neighbor who appeared in support of the variance. He corroborated the existing conditions in the neighborhood and does not believe that the sign adversely affects the surrounding locale.

These sentiments were disputed by Mr. Bell. He does not oppose the use of the subject property for the assisted living facility, however, he believes that the sign is out of character with the neighborhood. He submitted a letter containing his written testimony and objections to the sign which has been made part of the case file.

Upon due consideration of the testimony and evidence offered, I am persuaded to grant the Petition for Variance. The concerns which Mr. Wagner has expressed over safety and access to the property are significant. The residents housed at the facility are elderly (between the ages of 81 and 97 years of age) and prompt medical care may, at times, be needed. Proper advertising of the site will promote easy access by emergency vehicles, deliveries and visitors and will prevent congestion in the area. I am particularly concerned about lost drivers slowing, stopping and turning to locate the property. Moreover, the sign appears professionally done and is not out of character with the area. Lastly, I concur with Mr. Gilliam's testimony, that the sign is not detrimental to the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of February, 1996 that a variance from Section 413.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a non-illuminated double sided wooden sign of 20 sq. ft. per side (40 sq. ft. total), in lieu of the required 1 sq. ft. allowed, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners re hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. There shall be no means of artificially illuminating the sign, be it by a spotlight, internal light, etc.


Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date *Feb 16*
By *M. Gephardt*

ORDER RECEIVED FOR FILING
Date *Feb 16*
By *M. Gephardt*

ORDER RECEIVED FOR FILING
Date *Feb 16*
By *M. Gephardt*

ORDER RECEIVED FOR FILING
Date *Feb 16*
By *M. Gephardt*

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-4386
February 8, 1996

Mary E. Gephardt, Esquire
Lauenstein and Lauenstein
809 Eastern Blvd.
Baltimore, Maryland 21221
RE: Case No. 96-235-A
Petition for Zoning Variance
Property: 12820 Eastern Avenue Extended
Steven Mark Wagner, et ux, Petitioners

Dear Mrs. Gephardt:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,
Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.
c: Mr. and Mrs. Steven M. Wagner, 12820 Eastern Ave., Ext. 21220
Mr. Raymond P. Bell, 12821 Eastern Avenue, Ext. 21220

#232

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 12820 EASTERN AVENUE EXTENDED
BALTIMORE, MARYLAND 21220
96-235-A which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

413.1A To allow a non-illuminated double sided wood sign 20 sq. ft. x 2 sides equals 40 sq. ft. area. In lieu of the required 1 sq. ft. in area.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Petitioner was awarded a permit for an assisted living facility. Property is now operated as an assisted living facility. On several occasions ambulance service has been called and has missed the property when responding for lack of a sign. The structure on which a sign is permitted to be posted sets back 42 feet from the road and is blocked by trees. To deny posting of a sign in the front yard creates a hardship for the property and an adverse impact on the community and welfare of the community.

I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:
(Type or Print Name)
Signature
Address
City State Zipcode

Legal Owner(s)
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that these are the legal owners of the property which is the subject of this Petition.)

Steven Mark Wagner
(Type or Print Name)
Signature
Phyllis P. Wagner
(Type or Print Name)
Signature
12820 Eastern Avenue Ext.
Baltimore, Maryland 21220
Address 335-1828 Phone No.

City Name, Address and phone number or representative to be contacted.

Name
Address
City State Zipcode Phone No.

ESTIMATED LENGTH OF HEARING
more than 1 hour less than 1 hour

File following date: *12/14/95* Next Two Months

Printed with Recycled Ink on Recycled Paper

Phone: 687-6922

#232

FRANK S. LEE 96-235-A

Registered Land Surveyor

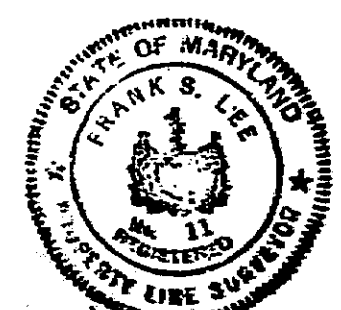
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

October 23, 1995

No. 12820 Eastern Avenue Extended
15th District Baltimore County, Maryland

Beginning for the same on the northwest side of Eastern Avenue Extended at the distance of 1687.53 feet measured southwesterly along the northwest side thereof from the southwest side of Harewood Road and being known as Lot 32, Section "B", Twin River Beach, said plat being recorded among the land records of Baltimore County in Plat Book 8 folio 20.

Containing 0.76 acres of land more or less



15th District
Variance
Steven M. & Phyllis Wagner
12820 Eastern Ave. Ext., NW/8
Facing roadway on property being surveyed
Sgt. L
Blair L. 12/14/95
CASE NUMBER: 96-235-A (Item 232)
12820 Eastern Avenue Ext.
NW/8 Eastern Avenue Extended, 1,687.53' SW of c/l Harewood Road
15th Election District - 5th Councilmanic
Legal Owner: Steven Mark Wagner and Phyllis P. Wagner
Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x 2 sides equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in area.
HEARING: TUESDAY, JANUARY 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.
30-K/11
12-25
1209

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations, will hold a public hearing on the proposed rezoning of the following property in Baltimore County, Maryland, on the date and at the time and place specified below:
Case No. 96-235-A
12820 Eastern Avenue Extended
NW/4 Eastern Avenue Extended, 1,687.53' SW of c/l Harewood Road
15th Election District - 5th Councilmanic
Legal Owner: Steven Mark Wagner and Phyllis P. Wagner
Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x 2 side equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in area.
Hearing: Tuesday, January 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.
For more information, please call 887-3353.
12/14/95

CERTIFICATE OF PUBLICATION

TOWSON, MD., 12/22, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/21, 1995.

THE JEFFERSONIAN
A. Henrichson
LEGAL AD.-TOWSON
Publisher



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 232 Petitioner: Steven Mark Wagner

Location: 12820 Eastern Avenue Extended

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Steven Mark Wagner

ADDRESS: 12820 Eastern Avenue Extended

Baltimore MD 21204

PHONE NUMBER: 335-1828

Printed with Soybean Ink
on Recycled Paper

12



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1995

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-235-A (Item 232)

12820 Eastern Avenue Ext.

NW/4 Eastern Avenue Extended, 1,687.53' SW of c/l Harewood Road

15th Election District - 5th Councilmanic

Legal Owner: Steven Mark Wagner and Phyllis P. Wagner

Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x 2 side equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in area.

HEARING: TUESDAY, JANUARY 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Steven and Phyllis Wagner
Mary E. Gephardt, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 19, 1996

NOTICE OF REASSIGNMENT

CASE NUMBER: 96-235-A (Item 232)

12820 Eastern Avenue Extended

NW/4 Eastern Avenue Extended, 1,687.53' SW of c/l Harewood Road

15th Election District - 5th Councilmanic

Legal Owner: Steven Mark Wagner and Phyllis P. Wagner

Variance to allow a non-illuminated double sided wood sign 20 sq. ft. x 2 side equals 40 sq. ft. area in lieu of the permitted 1 sq. ft. in area.

HEARING: TUESDAY, FEBRUARY 6, 1996 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Mary E. Gephardt, Esq.
Steven and Phyllis Wagner
Raymond Dell

PLEASE NOTE, DUE TO THE AMOUNT OF SNOW NOW ON THE GROUND, THIS OFFICE IS UNSURE AS TO THE FEASIBILITY OF REPOSTING THE PROPERTY. WE THEREFORE ASK THAT THE PETITIONER USE A BLACK MARKER TO WRITE THE NEW HEARING DATE ON THE SIGN. THANK YOU.

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 2, 1996

Mary E. Gephardt, Esquire
Lauenstein & Lauenstein
809 Eastern Blvd.
Baltimore, MD 21221

RE: Item No.: 232
Case No.: 96-235-A
Petitioner: S. M. Wagner, et ux

Dear Ms. Gephardt:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 4, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: December 28, 1995

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 12820 Eastern Avenue Extended

INFORMATION:

Item Number: 232

Petitioner: Wagner Property

Property Size:

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

If the sole purpose of this request is to call the attention of the property to emergency vehicles, staff recommends that the applicant post large street address numbers along the road frontage. This should ensure that any emergency vehicle or ambulance service will not miss the property when responding.

Prepared by: Jeffrey W. Long

Division Chief: [Signature]

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 12/22/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 18, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

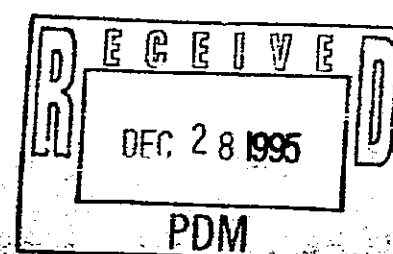
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS 232, 233, 234, 235, 236, 237, 238, 239, 240, 241 AND 242.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-6881, MS-1102F

cc: File

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on Recycled Paper



BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Dec. 26, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for December 26, 1995
Items 232, 233, 234, 235, 236, 237, 238, 239,
240, 241 and 242

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

12-18-95

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 332 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD 150 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Code Enforcement

Baltimore County
Department of Permits & Development Management
100 West Crosskeys Avenue
Baltimore, Maryland 21204
(410) 333-1350

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

DATE: December 28, 1995

FROM: James H. Thompson - DJT
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 232
PETITIONER: Steven Mark Wagner and Phyllis P. Wagner
Tenants By Entireties
VIOLATION CASE NO.: C-96-2440

LOCATION OF VIOLATION: 12820 Eastern Avenue Extended
Baltimore, Maryland 21220
15th Election District

DEPENDANTS: Steven Mark Wagner and Phyllis P. Wagner
12820 Eastern Avenue
Baltimore, Maryland 21220

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME	ADDRESS
Mary E. Gephardt Lauenstein & Lauenstein Attorneys At Law	First National Bank Building 809 Eastern Boulevard Essex, Maryland 21221

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/DJT/hek

96-235-A

Tues 1/9/96 at 9:00 AM

TO: PETITION FOR VARIANCE
12820 Eastern Avenue Extended, NW/S
Eastern Avenue Ext., 1,687.53' SW of c/l
Harewood Road, 15th Election District,
5th Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-235-A

Steven and Phyllis Wagner
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of January, 1996, a copy of the foregoing Entry of Appearance was mailed to Mary E. Gephardt, Esquire, Lauenstein & Lauenstein, 809 Eastern Boulevard, Baltimore, MD 21221, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Mr. & Mrs. Raymond Bell
12821 Eastern Ave.
Baito, MD 21220

1/3/96

Dear Sir: To Whom it may concern.

Naturally some neighbors don't want to get involved and would rather remain neutral.

The issue at hand is a 20 sq ft sign in the front yard at the home of Mr. & Mrs. Wagner at 12820 Eastern Ave. In a residential neighborhood; as opposed to a 1 sq ft sign as allowed by law.

The home was recently turned into a retirement home/nursing home.

I'm aware that the state is behind such homes in different communities; as they have also done with the handicapped and retarded people. At that time of course they were met with opposition from several community associations not wanting these homes in their neighborhoods.

I'm not against this home in the community; as they the people also have rights. But the home should blend into the neighborhood, not stand out.

It was told to me by a reliable source, that the main concern Mr. Wagner wanted the big sign in the front yard was so that the ambulance and rescue personal would be able to find the home easier.

At that time, I went up to the Chase Fire Station #54 about 1 half mile from our homes. I spoke to Capt. Weir about the situation. It was at that time he assured me that he or any of his personnel had any problem finding the home; as they have already responded to several calls from the home before.

The 20 sq ft sign in the front yard of 12820 Eastern Ave; is totally out of character for our residential neighborhood.

Raymond P. Bell
Sincerely,
Raymond P. Bell

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Mark Wagner	12820 Eastern Ave Ext 21220
Phyllis Wagner	12820 Eastern Ave Ext - 21220
James A. Gellert	12818 Eastern Ave Ext - 21220

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
Raymond P. Bell	12821 Eastern Ave Baito MD 21220

Raymond Bell
12821 Eastern Ave
21220



PERMISSION IS HEREBY GRANTED TO:

NAME: WAGNER, STEVEN & PHYLLIS
ADDRESS: 12820 EASTERN AVE EXT., BALTIMORE, MD 21220

TO USE AND OCCUPY THE LAND AND/OR BUILDINGS DESCRIBED AND LOCATED AS FOLLOWS ON PERMIT NO. B224517

LOCATION OF PROPERTY: 12820 EASTERN AVE EXT
DIST. 15 LOT NO. 32
SUBDIVISION: TWIN RIVER BEACH

DATE: 06/07/95
FEE PAID: 35.00

ISSUED BY THE BUILDINGS ENGINEER

USE PERMIT

IT IS ORDERED by the Director of Zoning Administration & Development Management of Baltimore County, this 4th day of NOVEMBER, 1994, that 12820 EASTERN AVE. EXT. should be and the same is hereby granted permission to operate a CLASS "A" (ELDERLY) ASSISTED LIVING FACILITY (A.L.F.) FOR A MAXIMUM OF EIGHT (A.L.F.) RESIDENTS.

John K. King
Permit Number

Director, Zoning Administration & Development Management



CERTIFICATE TO OPERATE SENIOR ASSISTED HOUSING

CERTIFICATE NO. GSAH-BCO-95231
DATE ISSUED 12/15/95

This certificate is issued pursuant to Article 70B, Section 4, Annotated Code of Maryland, 1980 Edition, and subsequent supplements and is subject to any and all statutory provisions, including all applicable rules and regulations promulgated thereunder.

FACILITY	COSY COUNTRY CORNER RETIREMENT HOME
ADDRESS	12820 EASTERN AVENUE, EXTENDED, BALTIMORE, MD 21220
PROVIDER	MR. STEVEN MARK WAGNER
ADDRESS	SAME ADDRESS
NUMBER OF SENIOR ASSISTED HOUSING UNITS (PERSONS)	11
CERTIFICATE EXPIRATION DATE	JUNE 30, 1996



John K. King
Director, Maryland Office on Aging

This Certificate shall be displayed in the lobby, rental office, or other prominent public place on the premises during the entire period it is effective.

LOCATION MAP
SCALE 1"=1000'
NE 7 L

P.B.W. RAILROAD
N 39° 49' E
100' 00'

EX. SIGN FOR VARIANCE

SCALE 1"=10'
SIGN
DOUBLE FACE
40 SQUARE FEET
NO INTERNAL ILLUMINATION

OWNER
Steven Wagner
12820 Eastern Ave. Ext.
Baltimore, Md. 21220
(410) 574-2950

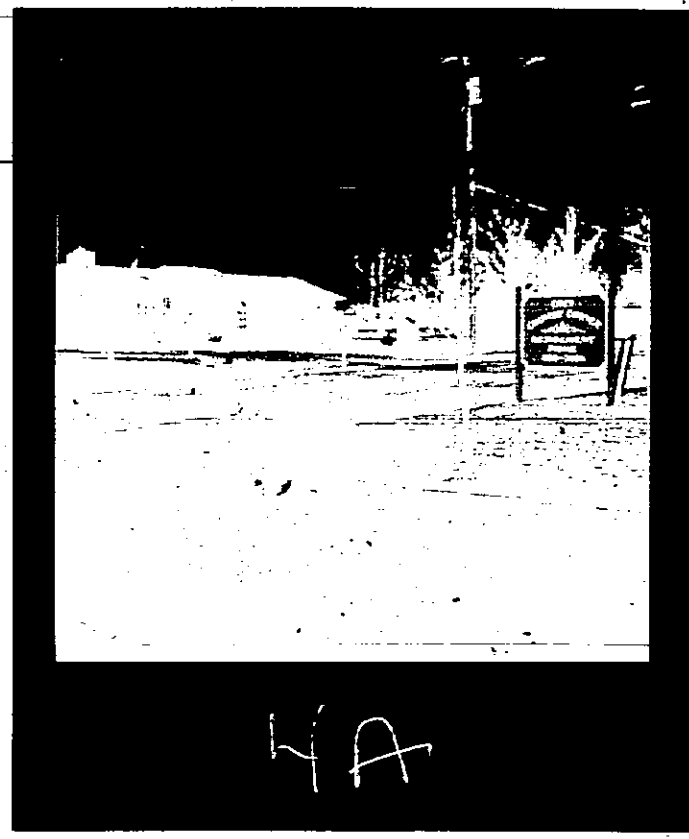
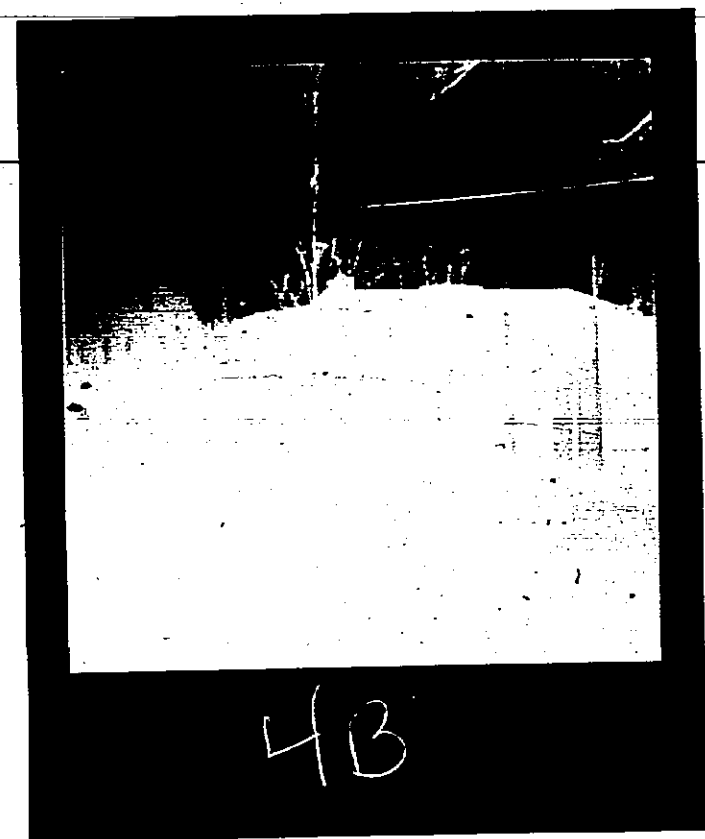
EXISTING USE: Class "A" (Elderly) Assisted Living Facility
for a maximum of eight (8) B 224 517 ISSUED 11-4-94

EXISTING ZONING: DR 5.5
Area of Lot: 0.76 acres
5th Councilmatic District
No prior zoning hearings

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE

LOT 32 SECTION B
TWIN RIVER BEACH
PLAT BOOK B-20
15TH DISTRICT BALTIMORE CO, MARYLAND
SCALE 1"=50' DATE 10-19-95

FRANK S. LITE
1277 NEIGHBORS AVE.
BALTIMORE, MD. 21237



12820
103

376246

DATE 3/96
TWIN CREEK

NAME Bell
ADDRESS 12821 Eastern Ave.
CITY Baltimore 21208 PHONE 335-9171

TIME 11:00
TIME PROMISED 11:00

ITEM	QTY	UNIT	PRICE	TOTAL
1. SIGN	1	EA	1200.00	1200.00
2. SIGN	1	EA	1200.00	1200.00
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97. SIGN	1	EA	1200.00	1200.00
98. SIGN	1	EA	1200.00	1200.00
99. SIGN	1	EA	1200.00	1200.00
100. SIGN	1	EA	1200.00	1200.00

